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**PATENT**  
 Attorney Docket No. 101.0107-01000  
 Customer No. 22882

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	Confirmation No.: 3402
Gary K. Michelson	)	
Serial No.: 10/719,424	)	Group Art Unit: 3733
Filed: November 21, 2003	)	Examiner: Pedro Philogene
For: EXPANDABLE INTERBODY SPINAL	)	
FUSION IMPLANT WITH EXPANSION	)	
CONSTRAINING MEMBER AND	)	
METHOD FOR USE THEREOF	)	

Mail Stop AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

**AMENDMENT**

In reply to the Office Action dated September 19, 2006, the period for reply having been extended for one (1) month by a request for extension and fee payment filed concurrently herewith, please amend the application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 9 of this paper.

01/10/2007 EFLORES 00000086 503726 10719424

01 FC:1201 400.00 DA  
 02 FC:1202 100.00 DA

01/10/2007 EFLORES 00000086 503726 10719424

03 FC:1251 120.00 DA

Amendment 1-8-07.doc